<u>REMARKS/ARGUMENTS</u>

Claim Amendments

The Applicant has amended claims 1 and 22-25; claims 20-21 have been canceled; dependent claims 26 and 27 have been added. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-16 and 22-27 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 101

Claims 20-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The Applicant has canceled claims 20-21 and amended claims 22-24 to claim statutory subject matter. Support for the amendment is found on page 3, lines 20-24 and various other locations in the Detailed Description.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-5, 7-16 and 20-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tatsumi et al US 2002/0095635 A1. Claims 20-21 are canceled. The Applicant respectfully traverses the rejection of these claims

> 1. (Previously Presented) A method for broadcasting content data from a broadcaster to a plurality of clients, the method comprising the steps of:
> simultaneously transmitting the content data to the plurality of clients via <u>an unreliable downlink-only communications pathway</u>;
> bi-directionally coupling the plurality of clients, each to a proxy server to initiate post-processing transactions, the broadcaster communicating with the proxy server to provide sufficient information to handle any of the post-processing transactions requested by any one of the plurality of clients.
> determining, by the plurality of clients, a plurality of available proxy servers that may be contacted for post-processing after the content data broadcast<u>, wherein the plurality of clients is different from the plurality of proxy servers</u>;

        randomly selecting, by <u>each of</u> the plurality of clients, one of the <u>plurality of</u> available proxy servers to contact for post-processing after the content data broadcast; and

        contacting, by the <u>each of the</u> plurality of clients, <u>each of</u> the selected proxy <u>servers</u> ~~server~~ to initiate post-processing.

.

The Applicant respectfully submits that the rejection of the above claim is incomplete, as several limitations were not addressed. For instance, the "unreliable downlink-only communications pathway" and "the plurality of proxy servers" are not disclosed or taught in the Tatsumi reference. As illustrated in the Applicant's Figure 1, each client has a connection with a proxy server. Typically, there will be more clients than servers, and even so, there will be unconnected clients and proxy servers. (page 7, lines 20-24). The Detailed Action states that Tatsumi discloses "transmitting the content data to the plurality of clients" and " coupling the plurality of clients to a proxy server to initiate post processing transactions" in paragraph 19. The Applicant has reviewed paragraph 19 and the paragraph discloses "<u>a</u> receiver and <u>a</u> transmitter and an error detecting unit detects errors", etc. The Tatsumi reference in paragraph 20 discloses a transmitter which corresponds to the receiver. This particular phrase indicates a point to point relation, so that the broadcaster which sends the data is also responsible for the retransmission. As the Applicant's claim 1 clearly reads now, the clients communicate with the server proxies and not with the broadcaster. Also, each client selects an available server proxy that is to be contacted for retransmission.

The Tataumi reference is noted as not disclosing a proxy server but teaches a device that performs similar functions and Figure 1 is referenced. The Applicant respectfully submits that there are many parts, labeled in Figure 1. However the Applicant cannot find a device or devices that perform the same function of being contacted for initiating post processing in a client as claimed. As claimed, the clients in the Applicant's invention contact each selected server to initiate post processing. The Applicant's proxy server is a separate function/device and the server provides information with which to accomplish the post processing.

The Applicant respectfully submits that the Tatsumi reference fails to disclose the above limitations from the Applicant's claim 1. Claims 2-5, 7-16 and 23-25 depend respectively from claims 1 and analogous claims 22. As provided in MPEP § 2143, "[t]o establish a prima facie case of obviousness, ... the prior art reference (or references when combined) must teach or suggest all the claim limitations." The Applicant respectfully submits that a prima facie case of obviousness is not established and requests the allowance of these claims.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tatsumi in view of Hudson et al US 2003/0204613 A1. The Applicant respectfully traverses the rejection of this claim.

The Hudson reference is cited as disclosing a digital rights manager. However, the Tatsumi reference lacks limitations disclosed in the independent claims, as indicated above, that are included in dependent claim 6. Therefore, the allowance of claim 6 is respectfully requested.
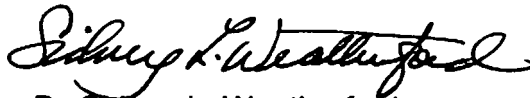
Prior Art Not Relied Upon

In paragraph 5 on page 7 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

By Sidney L. Weatherford
Registration No. 45,602

Date: June 30, 2009

Ericsson Inc.
6300 Legacy Drive, M/S EVR 1-C-11
Plano, Texas 75024

(972) 583-8656
sidney.weatherford@ericsson.com